

REMARKS

In response to the office action mailed on March 10, 2005, the response period of which is extended to September 12, 2005 by the accompanying petition for extension of time, please consider the following remarks.

Section 112 rejection

In response to the section 112 rejection of claim 5, Applicant amends the dependency of that claim.

Claim objection

Applicant agrees that claims 6 and 7 are substantially identical. Accordingly, Applicant cancels claim 7.

Claim amendments

Applicant amends the preambles of dependent claims 11-14 to conform to the preamble of claim 10, from which they depend.

Conventional Content Delivery

In a conventional content delivery system, a client provides a resolver (such as the resolver disclosed by *Mockapetris*) with a request to resolve a domain name into an IP address. The resolver then returns an IP address to the client. The client then uses this IP address to reach an origin server.

It is important to note that in the conventional system the client does not provide the resolver with a request for the desired content itself. The client only provides the resolver with a request to resolve a domain name. The domain name is associated with an origin server that may or may not store the desired content.

Request for content is not a request to resolve a domain name

The claimed subject matter reduces latency by eliminating the resolver. Instead of requesting resolution of a domain name, the client requests content. This saves time by eliminating interaction with the DNS system disclosed by *Monckapetris*.

In *Mockapetris*, a resolver receives requests to resolve a domain name. In response, the resolver provides an IP address. This is different from a request for desired *content* as described in the specification.

The distinction between “content” and an IP address as provided by the resolver is apparent from the specification, which states:

To retrieve a web-page, a user typically provides, to a web-browser running on that user's computer, a URL (uniform resource locator) identifying an origin server that contains the desired web-page. In response, the user's computer sends a message to a domain-name server requesting a numerical IP address for the origin server identified by that URL. The domain-name server then responds, perhaps after querying other domain-name servers, with the IP address of the origin server.¹

It is also apparent that as used in the specification, “content” refers to what the user sees:

After having learned the IP address for the origin server, the web-browser sends that origin server a message requesting the desired web-page. In response, the origin server sends the desired web-page to the web-browser. This web-page generally includes text with embedded references to other types of content, such as graphic images (both moving and stationary), audio clips, and other data-rich content. Once the web-browser receives the desired web-page, it interprets it to determine what content it needs to gather and how to assemble that content to correctly display the desired web-page to the user.²

Applicant submits that the plain meaning of “desired content” as used by those of ordinary skill in the art of content delivery on the internet, plainly excludes IP addresses and the like whose function is to lead to desired content.

By way of analogy, in a book, the page numbers are generally not considered part of the “content” of the book. Page numbers serve only to locate particular content in a book. Indeed, page numbers often change with different editions of the same book. Similarly, IP addresses that point to web pages are not regarded as “content” since their function is only to locate the content. Like page numbers in a book, IP addresses can constantly change.

¹ *Specification*, page 1, lines 5-10.

² *Specification*, page 1, lines 11-17.

Section 103 rejection of claim 1

As best understood, the Examiner agrees that *Hasebe* fails to show the step of receiving, at an origin server separate from the content server, a request from a client for desired content. However, the Examiner apparently regards this step as being carried out when the resolver of *Mockapetris*, receives a request to resolve an address.³

According to *Mockapetris*, a resolver receives a domain name and retrieves information associated with the domain name ("IAWDN"). Thus, the claim language would be mapped to *Mockapetris* as follows

at an origin server [resolver] separate from the content server, receiving a request from a client for desired content [IAWDN];

The "plurality of content servers" in claim 1 has already been associated with the information distribution devices 60A-C in *Hasebe*. Thus, the Examiner appears to be reading the claim as follows:

1. A method for directing a client to a content server [IDD 60] containing desired content [IAWDN], said method comprising:

at an origin server [resolver] separate from the content server [60A-C], receiving a request from a client for desired content [IAWDN];

in response to the request,

identifying an autonomous system [30] having a plurality of content servers [60A-C], each of the content servers [60A-C] having a copy of the desired content [IAWDN], and

providing said client with a shared address [192.0.0.1], said shared address being common to said content servers [60A-C]; and

serving said client from an optimal content server [60A] selected from said plurality of content servers [60A-C], said optimal content server [60A] having been selected on the basis of an optimal path from said client to said shared address [192.0.0.1].

³ *Mockapetris*, section 2.1.

The difficulty in reading the claim as the Examiner proposes is that there is no teaching in *Hasebe* that each of the content servers 60A-C stores the same IAWDN that was requested at the origin server/resolver. Accordingly, even if one were to combine *Hasebe* and *Mockapetris*, the result would still fail to yield the invention defined by claim 1.

Claims 2, 3, and 5 are dependent on claim 1 and are therefore allowable for at least the same reasons as claim 1.

Claims 10-14 recite computer-readable media having encoded thereon software for carrying out corresponding method claims. Accordingly, those claims are allowable for at least the same reasons as the corresponding method claims.

Section 103 rejection of claim 6

Claim 6 recites

an origin server separate from the autonomous system for providing an address to a client *in response to a request for content*, the address identifying said autonomous system;

As best understood, the Examiner considers the origin server to correspond to the resolver disclosed by *Mockapetris*.

Applicant draws attention to what it is that causes the origin server to provide “the address identifying said autonomous system.” Claim 6 does *not* recite an origin server that provides an address in response to a request to resolve a domain name. Claim 6 recites an origin server that provides the address “in response to a request for content.” Accordingly, even if one were to somehow combine *Hasebe* and *Mockapetris*, the result would still fail to disclose the invention as defined by claim 6.

Claims 8 includes the limitations of claim 6, and is therefore allowable for at least the same reasons as claim 6.

Applicant : John Rozen
Serial No. : 09/757,745
Filed : January 10, 2001
Page : 10 of 10

Attorney's Docket No.: 11125-017001

Summary

Now pending in this application are claims 1-3, 6, 8, and 10-14. Of these, claims 1, 6, and 10 are independent. Enclosed is a check in payment for the extension fee. No additional fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050, referencing attorney docket "11125-017001."

Respectfully submitted,

Date: September 12, 2005



Faustino A. Lichauco
Reg. No. 41,942

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906